THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.18660 OF 2006

DATE: 11th September 2006

Between:
Vinuthna Fertilizers,
Represented by its Managing Partner
Smt K.Shivaparvathi, wife of
K.Shiva Prasad, aged 24 years,
R/o H.No.8-4-427, Erragada, Hyderabad.

… Petitioner.

And

1. The Government of Andhra Pradesh,
   Agriculture Department, represented
   By its Principal Secretary, Secretariat,
   Hyderabad and another.

… Respondents.

* * *

ORDER:

Learned counsel on either side fairly submitted that the issue arises for consideration in this writ petition is squarely covered by the judgment of this Court in W.P.No.8207 of 2006 and batch, dated 25th April 2006, therefore, this writ petition is also liable to be disposed of in the light of the above judgment.

2. The writ petition is disposed of with the following directions:

> " In view of the fact that no license is required under the Act for manufacture and sale of bio-products as long as they do not contain any ingredients of insecticide as mentioned in the schedule, i.e., Antagonistic Fungi and Bacteria, respondents cannot

interfere with the store, sale and distribution of bio-products belonging to the petitioners.

It is needless to say if the bio-products contain any chemical or insecticides which endangers the environment, it is always open for the concerned authorities to take appropriate action against the petitioners-manufacturers and the dealers of the said bio-products, and by the Executive Magistrate in exercise of powers under Section 133 Cr.P.C."

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C.V.RAMULU, J.

Date: 11th September 2006.
BSB